BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

CATHOLIC CHARITIES OF THE

DIOCESE OF HONOLULU, dba

CATHOLIC CHARITIES HAWAII

For a Motor Carrier Certificate or)

Permit.

DOCKET NO. 04-0075

DECISION AND ORDER NO. 21222

Filed August 6, 2004

At ______ 10 o'clock _A _____ .M.

Chief Clerk of the Commission

JIV. OF CONSUMER ADVOCACY
DEPT. OF COMMER AFFAIRS
CONSUMER AFFAIRS
STATE OF HAWAH

2004 AUG -9 A 9: 23

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

CATHOLIC CHARITIES OF THE DIOCESE OF HONOLULU, dba CATHOLIC CHARITIES HAWAII

For a Motor Carrier Certificate or)
Permit.)

Docket No. 04-0075

Decision and Order No. 21222

DECISION AND ORDER

I.

Application for Contract Carrier Authority

By an application filed on April 19, 2004, and amended on May 6, 2004, CATHOLIC CHARITIES OF THE DIOCESE OF HONOLULU, dba CATHOLIC CHARITIES HAWAII ("Applicant"), requests the following:

(1) a permit to operate as a contract carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification, pursuant to contracts with The Queen's Medical Center and Hawaii Health Systems Corporation; and (2) the authority to provide contract carrier services to other organizations in the future, provided that the executed contracts for such services are filed with the commission prior to the commencement of services. The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-13.

¹In Decision and Order No. 20967, filed on May 6, 2004, in Docket No. 04-0074, Applicant was granted temporary authority to operate as a contract carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification, pursuant to contracts with The Queen's Medical Center and Hawaii Health Systems Corporation.

Applicant served copies of the application on the Hawaii Transportation Association, which consists of carriers that may be affected by Applicant's proposed service, and on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"). The Consumer Advocate did not participate in this proceeding, and no persons moved to intervene in this docket.

II.

Findings and Conclusions

Based on our review of the record, we find that Applicant is fit, willing, and able to properly perform the proposed service and to conform to HRS chapter 271, and the requirements and rules of the commission. The commission also finds that the proposed service will meet the distinct needs of The Queen's Medical Center and Hawaii Health Systems Corporation, and, pursuant to HRS § 271-13, will be consistent with the public interest and the transportation policy declared in HRS chapter 271. Accordingly, we conclude that Applicant's request should be granted.

III.

<u>Orders</u>

THE COMMISSION ORDERS:

1. Applicant is granted a permit to operate as a contract carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification, pursuant to contracts with The Queen's Medical Center and Hawaii Health Systems Corporation.

04-0075

2. Applicant may provide contract carrier services in the 8-to-25 passenger classification on the island of Oahu to other organizations in the future, provided that the executed contracts for such services are filed with the commission prior to the commencement of services.

DONE at Honolulu, Hawaii this 6th day of August, 2004.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Ву

Carlito P. Caliboso, Chairman

Bv.

Wavne H. Kimura, Commissioner

Ву__

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone Commission Counsel

04-0075.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 21222</u>upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

CATHOLIC CHARITIES OF THE DIOCESE OF HONOLULU dba CATHOLIC CHARITIES HAWAII c/o STELLA M.Q. WONG, EXECUTIVE DIRECTOR CATHOLIC CHARITIES ELDERLY SERVICES 2745 Pali Highway Honolulu, HI 96817

CRAIG I. NAKANISHI, ESQ. RUSH MOORE CRAVEN SUTTON MORRY & BEH 737 Bishop Street, Suite 2400 Honolulu, HI 96813

Karen Higashi

DATED: AUG 0 6 2004